

One Hundred Seventh Legislature - First Session - 2021

Introducer's Statement of Intent

LB43

Chairperson: Senator Tom Brewer

Committee: Government, Military and Veterans Affairs

Date of Hearing: January 28, 2021

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB43 requires that election commissioners be elected on a nonpartisan ballot and eliminates the position of deputy election commissioner. Under current law, the Governor appoints election commissioners in counties of at least 100,000 residents, and the election commissioner appoints a deputy election commissioner.

LB43 also requires that if a county between 20,000 and 100,000 residents chooses to have an election commissioner, the position must be elected. Currently, county boards in these counties may appoint an election commissioner and deputy election commissioner if they choose. In counties of this size who do not choose to have an election commissioner and in counties with fewer than 20,000 residents, an elected county clerk handles the duties of an election commissioner.

LB 43, and its predecessor LB 1022 in 2020, were introduced following the receipt of Attorney General's Opinion 19-012 which called our current statutes "constitutionally suspect."

Principal Introducer: _____

Senator Matt Hansen, M.